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# REMARKS

Claims 1-52 are pending in this application. Claims 1, 18, 35, and 52 are the independent claims.

Claims 1, 3-4, 6-8, 11, 35, 37-38, 40-42, and 45 stand rejected under 35 U.S.C. 102(e) as being anticipated by Li et al. (U.S. Patent 6,697,577 B1). In addition, Claims 1-2, 5-8, 35-36, 39-42 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Kasahara (U.S. Patent Appl. Pub. 2002/0131115 A1), Claims 1-3, 5-8, 11-12, 14-16, 18-20, 22-25, 28, 30-31, 33-37, 39-42, 45-46 and 49-50 and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikoma et al. (US Patent Appl. Pub. 2002/0097460 A1), and Claims 1-4, 18-21 and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerstel et al. (U.S. Patent Appl. Pub. 2004/0165888 A1).

Further, claims 9-10 and 43-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. in view of Trischitta et al. ("Applying WDM Technology To Undersea Cable Networks"). Claims 9-10, 26-27 and 43-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ikoma et al. in view of Trischitta et al., Claims 13, 29 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikoma et al. in view of Yu et al. (U.S. Patent Appl. Pub. 2003/0048508 A1) and Claims 17, 32 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikoma et al. in view of Ransford et al. (U.S. Patent 6,532,087 B1).

All of the above rejections are hereby traversed for at least the following reasons.

In the Response to Arguments on page 9 of the Final Action, the Examiner states that "the rejections are based on mapping of functionality and services provided by the components." In elaborating on this statement, the Examiner, using the Gerstel et al. reference as an example, notes that:

The transponder defines first optical interface for connecting to client equipment, and second interface for connecting to multiplexer/demultiplexer. The multiplexer/demultiplexer transforms optical signal from first optical layer protocol to second layer protocol.

Applicants concede, for purposes of arguendo only, that the transponder in Gerstel et al. (as well as in the remaining references) does indeed define a first optical

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interface, as well as a second optical interface for connecting the multiplexer/demultiplexer. Likewise, the Applicants also concede, for purposes of arguendo only, that the multiplexer/demultiplexer in Gerstel et al. transforms an optical signal from a first optical layer protocol to a second optical layer protocol. However, Applicants' respectfully submit that the first and second optical interfaces cited by the Examiner do not correspond to the *first and second optical interfaces* set forth in the claims of the present application. Likewise, Applicants' respectfully submit that the first and second optical layer protocols cited by the Examiner do not correspond to the *first and second optical layer protocols* set forth in the claims of the present application.

In the claimed invention, the *first and second interfaces* are interfaces of an optical transmission terminal. On the other hand, in FIG. 4 of Gerstel et al., the Examiner points to first and second interfaces of a transponder 4. The Examiner is apparently completely ignoring what is evident in the figure – namely, that the first and second interfaces of the transponder 4 are not the same as the first and second interfaces of the optical line terminal in which the transponder 1 is located.

Furthermore, in the claimed invention, the second interface of a transmission terminal operates in accordance with the claimed *first optical layer protocol*. The Examiner, on the other hand, in Gerstel et al., asserts that the second interface of the transponder 1 operates in accordance with a first optical layer protocol. While this assertion may certainly be true, it is also true that the first optical layer protocol that the Examiner notes in Gerstel et al. does not correspond to the *first optical layer protocol* recited in the claims. The claimed *first optical layer protocol* designates how a transmission terminal interface operates. In contrast, the first optical layer protocol noted by the Examiner designates how a transponder interface operates. Quite clearly, these optical layer protocols are not equivalent. This same chain of reasoning leads to the conclusion that the second optical layer protocol that the Examiner notes in Gerstel et al. does not correspond to the *second optical layer protocol* cited in the claims.

In summary, while Gerstel et al., as well as Li et al., Kasahara, Ikoma et al. and Trischitta et al., certainly show a variety of interfaces and optical layer protocols, these interfaces and protocols are not those set forth in the claims of the present invention.

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None of the references, alone or in combination, show or suggest the very particular combination of interfaces and protocols recited in the claims. For this reason, it is respectfully requested that the rejection of the claims under 35 U.S.C 102(e) and/or 103(a) be reconsidered and withdrawn.

Independent claim 52 is believed to be allowable for the following additional reasons, which are independent of those presented above. As previously noted, claim 52 stands rejected under 35 U.S.C. 102(e) as being anticipated by Ikoma et al.

Claim 52 sets forth that the optical interface device is operable with a variety of different optical transmission terminals that employ different proprietary optical transport layer protocols. This feature is reflected in the recitation of *an optical interface device that includes a third interface communicating with the second interface of a selected one of any of the optical transmission terminals in accordance with the first optical layer protocol employed by the selected optical transmission terminal*. The second interfaces of the optical transmission terminals are further recited to each be *configured to communicate in accordance with a different first optical layer protocol*. As further explained below, in Ikoma et al., even assuming arguendo that the first optical layer protocol noted by the Examiner does correspond to the claimed first optical layer protocol, Ikoma et al. only shows a single first optical layer protocol. Accordingly, Ikoma et al. fails to show or suggest transmission terminals with different first optical layer protocols, as required by the claim 52 of the present application.

In rejecting claim 52, the Examiner states on page 5 of the Final Office Action that Ikoma et al. further teaches in FIG. 6 a ring network with a plurality of nodes where each node has functionality similar to the terminal station node 5-1 of FIG. 8. Applicants agree with this statement. However, Ikoma et al., also states that the network of FIG. 6 includes "transponders 1-1 which are the same transponders as the transponders 1-1 of FIG. 1." (see paragraph 39 of the reference) Since the transponders in the ring network are all the same, they all have second interfaces that have the same first optical layer protocol. Therefore, even assuming momentarily that the first optical layer protocol of the transponder corresponds to the claimed first optical layer protocol, Ikoma et al. does not

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show different first optical layer protocols, as required by claim 52 of the present application.

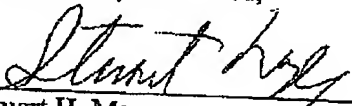
**Conclusion**

In view of the foregoing, it is believed that the application is now in condition for allowance and early passage of this case to issue is respectfully requested. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

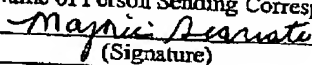
**Fees**

Any fees due and owing in respect to this amendment may be charged to the undersigned attorney's PTO deposit account number 50-1047.

Respectfully submitted,

  
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